

23 JUN 2006

PATENT  
ATTORNEY DOCKET NO. 062587-5012

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: <b>Heinrich Haas <i>et al.</i></b>	)	
	)	
U.S. National Phase of <b>PCT/EP2004/014683</b>	)	Group Art Unit: <b>Not Assigned</b>
	)	
International Filing Date: <b>December 23, 2004</b>	)	Examiner: <b>Not Assigned</b>
	)	
For: <b>Method of Producing Lipid Complexed</b>	)	
<b>Camptothecin-Carboxylate</b>	)	

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants petition the Examiner to consider this Information Disclosure Statement and the documents listed on the attached Form PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application. Accordingly, Applicants do not believe a fee is due for filing this Information Disclosure Statement.

The present application is a U.S. National Phase Application of International Application No. PCT/EP2004/014686, filed December 23, 2004 and published July 14, 2005 as WO 2005/063211. Attached hereto is a copy of the International Search Report for International Application No. PCT/EP2004/014686.

With the exception of U.S. Patent and published applications, copies of each of the documents cited on the International Search Report and listed on the attached Form PTO-1449 are enclosed. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that the listed documents do constitute "prior

10/584349


art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any additional fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. §1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Date: **June 23, 2006**  
Morgan Lewis & Bockius LLP  
Customer No. **09629**  
1111 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004  
(202) 739-3000

Respectfully submitted,  
**Morgan Lewis & Bockius LLP**

  
Sally P. Teng  
Registration No. 45,397

110 JUN 2006

<b>INFORMATION DISCLOSURE CITATION</b>  (Use several sheets if necessary)  <b>PTO Form 1449</b>	Attorney Docket No. 062587-5012	Serial No. Unassigned Based on 538549 PCT/EP2004/014686 -
	Applicants Heinrich HAAS, et al.	
	Filing Date June 23, 2006	Group Unassigned

**U.S. PATENT DOCUMENTS**

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,834,012 A	Nov. 10, 1998	Perez-Soler, et al.			
	2003/133973 A1	July 17, 2003	Colbern, et al.			

FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Sub Class	Translation	
						YES	NO
	EP 0 538 534 A1	April 28, 1993	Europe				
	WO 01/05372 A2	Jan. 25, 2001	WIPO				
	WO 92/10166 A1	June 25, 1992	WIPO				
	WO 2004/002454 A1	Jan. 8, 2004	WIPO				
	EP 1 393 719 A1	March 3, 2004	Europe				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		

Examiner	Date Considered
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	